

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

<p>ADAM JOHNSON, KELLY GRIFFIN, KEITH WESOLOWSKI, PETER JOHNSON and BRACKIE BRYANT et al. Individually And On Behalf of All Others Similarly Situated,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">- against -</p> <p>FANDUEL, INC., a Delaware corporation,</p> <p style="text-align: center;">- and -</p> <p>DRAFTKINGS, INC. a Delaware corporation,</p> <p style="text-align: right;">Defendants.</p>	<p>Jury Trial Demanded</p> <p>Case No. 15-cv-7963-GHW</p> <p>Hon. Gregory H. Woods, U.S.D.J. Hon. James L. Cott, U.S.M.J.</p>
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MOTION FOR PRELIMINARY INJUNCTION
UNDER F.R.C.P. 65(a)

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 65 and *Plaintiffs' Motion for Preliminary Injunction*, Plaintiffs will move on behalf of themselves and others similarly situated, at a time and date to be set by the Court as soon as practicable, for a Preliminary Injunction against Defendants FanDuel, Inc. ("FanDuel") and DraftKings, Inc. ("DraftKings"), (collectively "Defendants") preventing Defendants from using any money from customer accounts for operating expenses or any other use, and requiring Defendants to submit proof to Plaintiffs and the Court that all customer money is in segregated accounts and available for immediate distribution to customers if requested. *A Memorandum in Support* is attached.

Dated: October 19, 2015

By: s/ Paul C. Whalen

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